

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2675 of 2022

Arising Out of PS. Case No.-50 Year-2021 Thana- JAYRAMPUR District- Sheikhpura

SHATRUGHAN PASWAN S/O LATE LAXMI PASWAN R/o Village -
Jagdishpur, P.S. - Jairampur, District - Sheikhpura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.

Allegation is of recovery of 8 litres of liquor from the house of the petitioner.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and nothing was recovered from the house of the petitioner. It is next submitted that neither the petitioner was apprehended from the place of occurrence, thus, nothing was recovered from his conscious possession. It is next submitted that even presuming



what has been alleged in the FIR is true without admitting the same for the purpose of anticipatory bail the house is a joint family property and, as such, it cannot be alleged with certainty that petitioner was aware that liquor was kept in the house.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a person with clean antecedent and the nature of recovery, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jairampur P.S. Case No. 50 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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